

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
 :
 v. : MAGISTRATE NO. 15-417-M
 :
 KEONNA THOMAS, :
 a/k/a "Fatayat Al Khilafah," :
 a/k/a "YoungLioness" :

PRETRIAL DETENTION ORDER

AND NOW, this day of April, 2015, after an evidentiary hearing and argument of counsel for the government and the defendant, the Court finds that:

- (a) the government has proved by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required; and
- (b) the government has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of other persons and the community, as required by Title 18, United States Code, Section 3142(e).

The Court makes the following findings of fact:

This case is appropriate for detention under Title 18, United States Code, Section 3142(e) because:

- 1. There is probable cause to believe that the defendant has violated 18 U.S.C. § 2339B.

2. The evidence in this case is strong, consisting of Thomas's personal communications and online postings, as well as her purchase of an airline ticket and electronic visa in her true name:

- In numerous Twitter postings, Keonna Thomas expressed support for ISIL and urged people to commit acts in support of and donate money to ISIL.
- Thomas repeatedly expressed a personal desire for martyrdom. For example, on or about January 1, 2014, she posted on Twitter, "I see why the mujahideen [violent jihadi fighters] Sacrifice Dunya [life on earth] for Akhirah [the afterlife] there's no comparison." And on or about January 4, 2014, she posted on Twitter, "Only thing I'm jealous of is when I see the smiles of shuhadaa [martyrs]."
- Thomas also expressed a personal desire to fight for ISIL. For example, on or about December 2, 2014, she posted on Twitter the following statement: "If we truly knew the realities . . . we all would be rushing to join our brothers in the front lines pray ALLAH accept us as shuhada [martyrs]."
- Thomas exchanged multiple communications with a known Somalia-based violent jihadi fighter (CC#1), advising that she should be "able to travel" and "should be getting some money soon." Thomas further advised CC#1 that she had "moves to make" and planned to "leave the land of kufr [non-believers]."
- Thomas repeatedly expressed concern about communicating online, because it might "draw attention" to her and "mess my plans."
- Thomas exchanged numerous recent communications with a known overseas ISIL fighter (CC#2):
 - In December 2014, CC#2 advised Thomas that he had arrived in Syria and was "now going through training." CC#2 called his arrival in Syria a "blessing," and described for Thomas the "children of the syrians . . . the future generation of mujahidin [violent jihadi fighters] who love Dawla [ISIL]."
 - In February 2015, CC#2 sent an electronic communication to Thomas stating, "U probably want to do Istishadee [martyrdom operations] with me." In response, Thomas stated, "that would be amazing. . . . a girl can only wish." CC#2 responded, "I can make that wish come true."
 - Thomas also sought help from CC#2 regarding "routes" and her "travel plan."

- Thomas had never before owned a United States Passport nor traveled outside of the United States. But in February and March 2015, Thomas submitted an application for a United States Passport, conducted online research into “buses from Barcelona to Istanbul,” purchased a last-minute flight to Barcelona, and purchased an electronic visa to Turkey. As set forth in the Complaint, Turkey is known to be the most common and most direct transit point for individuals traveling from locations in Europe who are seeking to enter Syria and join ISIL, and the route from Turkey to Syria is recommended by ISIL itself.

3. The total maximum penalty defendant faces is 15 years’ imprisonment (a sentence well below the likely Sentencing Guidelines range of 210-262 months), giving Thomas a substantial incentive to flee.

4. Although the defendant has some familial ties to Philadelphia, her activities prove that they fail to serve as an adequate deterrent to criminal behavior. She is unemployed and lives at home with a few family members who appeared to know nothing about Thomas’s plans to join ISIL. She apparently intended to leave her two young children behind when she fled the country, without warning to anyone. Thus, her limited community and familial ties were clearly insufficient to prevent Thomas from abandoning her life in the United States for a life with ISIL.

5. In comparison, Thomas’s ties to her online violent jihadist community were strong and roust. She communicated regularly about her plans and desires with other ISIL members and supporters located around the world, many of whom would have the ability and desire to help Thomas flee and evade law enforcement.

6. As set forth above, Thomas’s offense conduct included a desire for violence and personal martyrdom in support of ISIL. This alone indicates that she poses a serious risk of danger to the community.

7. In addition, comments by Thomas’s very close associate indicate that the danger has increased in recent weeks. For example, when the government executed a search

warrant at Thomas's home, this associate posted on Twitter a call for martyrdom operations in the United States. And after Thomas's arrest, this associate posted on Twitter the following statement, followed by images of a truck and explosion: "no prison door will be able to stand against the force"

8. The strength and nature of the case against the defendant, combined with the strong likelihood that the defendant will be incarcerated for a significant period of time, establishes the defendant's danger to the community and increases the high risk that the defendant will not appear as required by the Court.

9. As there is probable cause to believe that the defendant committed an offense under 18 U.S.C. § 2332b for which a maximum term of imprisonment of 10 years or more is prescribed, the Court must presume--subject to rebuttal by the defendant--that no condition of release, or combination of conditions, will reasonably assure the safety of any person and the community or reasonably assure the appearance of the defendant as required. The defendant has failed to rebut this presumption.

Therefore, IT IS ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; that the defendant be afforded reasonable opportunity for private consultation with counsel; and that, on order of a Court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United

States Marshal for the purpose of an appearance in connection with a court proceeding.

BY THE COURT:

HONORABLE MARILYN HEFFLEY
United States Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : **MAGISTRATE NO. 15-417-M**

KEONNA THOMAS, :
a/k/a “Fatayat Al Khilafah,”
a/k/a “YoungLioness”

GOVERNMENT'S MOTION FOR PRETRIAL DETENTION

On March 26, 2015, U.S. Citizen and Philadelphia resident Keonna Thomas purchased a ticket on an international flight three days later so that she could travel to Syria and join the Islamic State of Iraq and the Levant (ISIL), a foreign terrorist organization responsible for highly publicized, bloodcurdling atrocities against humanity. This was not a snap decision nor a confused one. To the contrary, Thomas had been planning her “move” for more than a year, pledging and inciting support for ISIL, communicating with known violent jihadists about her plan to fight with ISIL and pursue martyrdom, reducing her online presence in order to evade law enforcement, and researching various indirect travel routes towards Syria and away from the “land of kufr [non-believers].” Had the government not intervened with a search warrant of Thomas’s home, all of the evidence indicates that she would have fled the country on March 29, 2015, as planned, leaving behind her two young children in order to “join our brothers in the front lines” and “do Istishadee [martyrdom operations]” abroad.

Because Thomas is charged with providing material support to a designated foreign terrorist organization, in violation of 18 U.S.C. § 2339B, the law imposes a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of Thomas as

required nor the safety of the community. 18 U.S.C. § 3142(e)(3)(C). Thomas cannot rebut this presumption. Thus, the government moves pursuant to 18 U.S.C. §§ 3142(e) and (f) for a detention hearing and pretrial detention of the defendant.

I. THE FACTS

In support of this motion, the government makes the following representations and proposed findings of fact:

A. Probable Cause and the Evidence in this Case

1. There is probable cause to believe that the defendant has violated Title 18, United States Code, Section 2339B, as charged in the criminal complaint filed on April 3, 2015.
2. The evidence in this case is strong, consisting of Thomas's personal communications and online postings, as well as her purchase of an airline ticket and electronic visa in her true name:

- In numerous Twitter postings, Keonna Thomas expressed support for ISIL and urged people to commit acts in support of and donate money to ISIL.
- Thomas repeatedly expressed a personal desire for martyrdom. For example, on or about January 1, 2014, she posted on Twitter, "I see why the mujahideen [violent jihadi fighters] Sacrifice Dunya [life on earth] for Akhirah [the afterlife] there's no comparison." And on or about January 4, 2014, she posted on Twitter, "Only thing I'm jealous of is when I see the smiles of shuhadaa [martyrs]."
- Thomas also expressed a personal desire to fight for ISIL. For example, on or about December 2, 2014, she posted on Twitter the following statement: "If we truly knew the realities . . . we all would be rushing to join our brothers in the front lines pray ALLAH accept us as shuhada [martyrs]."
- Thomas exchanged multiple communications with a known Somalia-based violent jihadi fighter (CC#1), advising that she should be "able to travel" and "should be getting some money soon." Thomas further advised CC#1 that she had "moves to make" and planned to "leave the land of kufr [non-believers]."
- Thomas repeatedly expressed concern about communicating online, because it might "draw attention" to her and "mess my plans."

- Thomas exchanged numerous recent communications with a known overseas ISIL fighter (CC#2):
 - In December 2014, CC#2 advised Thomas that he had arrived in Syria and was “now going through training.” CC#2 called his arrival in Syria a “blessing,” and described for Thomas the “children of the Syrians . . . the future generation of mujahidin [violent jihadi fighters] who love Dawla [ISIL].”
 - In February 2015, CC#2 sent an electronic communication to Thomas stating, “U probably want to do Istishadee [martyrdom operations] with me.” In response, Thomas stated, “that would be amazing. . . . a girl can only wish.” CC#2 responded, “I can make that wish come true.”
 - Thomas also sought help from CC#2 regarding “routes” and her “travel plan.”
- Thomas had never before owned a United States Passport nor traveled outside of the United States. But in February and March 2015, Thomas submitted an application for a United States Passport, conducted online research into “buses from Barcelona to Istanbul,” purchased a last-minute flight to Barcelona, and purchased an electronic visa to Turkey. As set forth in the Complaint, Turkey is known to be the most common and most direct transit point for individuals traveling from locations in Europe who are seeking to enter Syria and join ISIL, and the route from Turkey to Syria is recommended by ISIL itself.

B. The Defendant Poses a Severe Flight Risk.

1. The total maximum penalty defendant faces is 15 years’ imprisonment (a sentence well below the likely Sentencing Guidelines range of 210-262 months), giving Thomas a substantial incentive to flee.

2. Although the defendant has some familial ties to Philadelphia, her activities prove that they fail to serve as an adequate deterrent to criminal behavior. Thomas is unemployed and lives at home with a few family members who appeared to know nothing about Thomas’s plans to join ISIL. She apparently intended to leave her two young children behind when she fled the country, without warning to anyone. Thus, her limited community and familial ties were

clearly insufficient to prevent Thomas from abandoning her life in the United States for a life with ISIL.

3. In comparison, Thomas's ties to her online violent jihadist community were strong and roust. She communicated regularly about her plans and desires with other ISIL members and supporters located around the world, many of whom would have the ability and desire to help Thomas flee and evade law enforcement.

C. The Defendant Poses a Serious Risk of Danger to the Community.

1. As set forth above, Thomas's offense conduct included a desire for violence and personal martyrdom in support of ISIL. This alone indicates that she poses a serious risk of danger to the community.

2. In addition, comments by Thomas's very close associate indicate that the danger has increased in recent weeks. For example, after the government executed a search warrant at Thomas's home, this associate posted on Twitter a call for martyrdom operations in the United States. And after Thomas's arrest, this associate posted on Twitter the following statement, followed by images of a truck and explosion: "no prison door will be able to stand against the force"

II. CONCLUSION


When all these factors are viewed in light of the substantial sentence defendant faces if convicted, it is clear that no condition or combination of conditions will reasonably assure the presence of the defendant as required and/or the safety of the community.

WHEREFORE, the government respectfully submits that its Motion for Defendant's Pretrial Detention should be granted.

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney

04-09-2015



JENNIFER ARBITTIER WILLIAMS
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the Government's Motion for Pretrial Detention, and

Proposed Order was served by e-mail on the following defense counsel:

Kathleen Gaughan, Esquire
James McHugh, Esquire
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Federal Court Division
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JENNIFER ARBITTIER WILLIAMS
Assistant United States Attorney

Date: April 9, 2015